



BOARD MINUTES

BOARD OF WRIGHT COUNTY COMMISSIONERS

JUNE 11, 2019

DATE APPROVED: JUNE 18, 2019

Christine Husom	District 1
Darek Vetsch	District 2
Mark Daleiden	District 3
Michael Potter	District 4
Charles Borrell	District 5

The Wright County Board met in regular session at 9:00 A.M. with Husom, Vetsch, Potter, Daleiden and Borrell present.

COUNTY BOARD MINUTES 6-04-19

Husom made the following corrections to the Board Minutes:

- Page 3, paragraph 4, remove the following language, "Borrell moved to approve the Findings and Order accepting the Petition from the City of Monticello and the Partial Rescission of a prior Transfer Order on County Ditch 33. The motion was seconded by Husom and carried 5-0."
- Page 3, add the following language as paragraph 4, "Borrell moved to approve the purchase of sixty-one DS200 ballot counters from Election Systems & Software, Inc. at a cost of \$316,110.00. The motion was seconded by Husom and carried 5-0."
- Page 6, Item 1C, change to, "The meeting will be held on 6-10-19."
- Page 6, Item 3, change to, "Daleiden and Vetsch attended on 5-30-19."

Husom moved to approve the minutes as corrected. The motion was seconded by Daleiden and carried 5-0.

AGENDA

Potter moved to approve the Agenda. The motion was seconded by Daleiden and carried 5-0.

CONSENT AGENDA

Potter moved to approve the Consent Agenda. The motion was seconded by Daleiden and carried 5-0:

A. AUDITOR/TREASURER

1. Acknowledge Warrants Issued Between May 29, 2019 And June 4, 2019
2. Approve Renewal Of Annual On-Sale (Including Sunday) and Off-Sale Liquor License For Up The Creek Grill & Bar, Inc. (Silver Creek Township) For The License Period July 1, 2019 Through June 30, 2020 Contingent Upon Town Board Approval

B. COUNTY BOARD

1. Authorize Attendance Of Commissioner Darek Vetsch And Auditor/Treasurer Bob Hiivala At the NACo (National Association Of Counties) 84th Annual Conference & Exposition, July 12-15, 2019, Las Vegas, NV, \$560/Attendee Conference Fee

C. HEALTH & HUMAN SERVICES

1. Position Replacements
 - A. Social Worker
 - B. Social Worker
 - C. Information Systems Specialist
 - D. Accounting Clerk
2. Approve 67-Day Temp Social Worker

D. SHERIFF'S OFFICE

1. Position Replacements:
 - A. Deputy: Two FTE Positions
2. Refer Discussion Of The Law Enforcement City Contract Rate To The 6-26-19 Ways And Means Committee

TIMED AGENDA ITEMS**JOHN UECKER AND DON SCHMIDT**Discuss The Petition Requesting A Vote On The Issuance Of The Bonds

John Uecker, Annandale, requested an update on the status of the petition presented to Wright County related to the issuance of bonds for the Government Center and Tactical Training Center Project. Vetsch said that discussion on the project and possible action is scheduled for later in the meeting.

VIRGIL HAWKINS, HIGHWAY ENGINEERAward Contract No. 1903 (Subject To Authorization Of Award By The MnDOT Civil Rights Office): CSAH 39 Buffer Lane HSIP Safety Project (From Monticello To Otsego); SP 086-070-018. We received bids on Thursday, May 30, 2019. The Low Bidder Was Knife River Corporation In The Amount Of \$4,396,863.68

Hawkins said bids came in at 6% under the Engineer's estimate. A public hearing is scheduled for this evening. Construction is planned for 2020 and includes upgrade to four lanes.

Daleiden moved to approve awarding Contract No. 1903 to Knife River Corporation, \$4,396,863.68, subject to authorization by the MnDOT Civil Rights Office. The motion was seconded by Potter and carried 5-0. Funding will be \$1,305,000 in HSIP (Highway Safety Improvement Program) Grant funds and \$3,091,863.68 in CSAH (County State Aid Highway) Regular State Aid Funds.

SARAH GROSSHUESCH, HHS PUBLIC HEALTH DIRECTORPresentation on TOBACCO 21 (T21) Ordinance

Grosshuesch utilized a PowerPoint presentation to provide information on a possible T21 Ordinance. Minnesota counties are reviewing whether to implement the T21 Ordinance. Hennepin County is reviewing it at their meeting today. That has an impact on border communities such as Rockford and Rogers which lie in two counties.

Highlights of the PowerPoint:

- T21 would raise the legal sales age to 21 for tobacco products, including e-cigarettes, and would affect all establishments in the County. The cities of Annandale, Howard Lake and Buffalo would not be affected because they have their own police departments.
- Youth tobacco use has increased for the first time in 17 years. The uptick is largely due to e-cigarettes. Significant conversation has occurred at Safe Schools Meetings relating to concerns on e-cigarettes. Students are vaping other products including marijuana. Some students have been transported to hospitals due to use.
- Tobacco tickets issued to Wright County students have risen from 93 tickets in 2016/2017 to 246 in 2018/2019
- There is concern with the health effects of e-cigarettes which include untested harmful ingredients.
- Nicotine addiction:
 - Negatively impacts memory, learning and attention
 - Seizures
 - Eye, nose and lung irritation
 - COPD (emphysema and bronchitis)
- One JUUL pod equates to 41 cigarettes. Grosshuesch said some students have reported using one pod in a day.
- Nicotine exposure has a lasting impact on the developing adolescent brain. The addictive properties are particularly harmful, and the addiction can prime the brain for future addiction to other substances. Grosshuesch said research shows that using tobacco products makes it more difficult to get off opioid substances.
- 6,000 Minnesotans die annually from tobacco use and it costs the State more than \$3 billion annually in excess health care costs.
- Benefits of the T21 Ordinance include:
 - A reduction in tobacco use initiation
 - Keeps tobacco out of schools
 - Reduces underage sales
 - Simplifies age checks for retailers
- Currently, 34 municipalities in Minnesota and several States have moved to T21. There are also two bills that have been introduced at the federal level.

- The impact of T21 in Minnesota is that 30,000 fewer youth will become smokers over the next 15 years.
- Many organizations support passage of the T21 Ordinance.
- Additional proposed changes to the Tobacco Ordinance include:
 - Change from a civil penalty to a misdemeanor for clerks that sell tobacco to any underage persons.
 - Remove penalties for underage purchase, use and possession (PUP) of tobacco and related products.
 - Implement policies regarding proximity of tobacco and e-cigarette/vape shops to youth-oriented facilities.

Greg Kryzer, Assistant County Attorney, said any ordinance changes the County implements will only apply to licensing areas the County Board approves. The cities of Howard Lake, Annandale, and Buffalo would need to pass their own ordinances. Members of the County Board thought this could be a topic for a Committee Of The Whole (COTW) meeting.

Jason Mix, Howard Lake-Waverly-Winsted Principal, urged Commissioners to discuss T21 and impacts on students. Mix and his colleagues are dealing with this problem daily. He viewed it as a pathway to other drugs. In conversations with students, he learned that over 80% of them have vaped or tried it. Companies gear marketing toward youth.

Daleiden said if a COTW Meeting is scheduled, the Police Departments of Howard Lake, Buffalo and Annandale should be invited to discuss the importance of passage of T21. Vetsch said it is appalling the amount of use at ages of 13-14.

Dan Bravinder referenced the Dassel-Cokato Middle School. A large issue is vaping and the use of substances.

Borrell asked about making cigarettes and e-cigarettes illegal. Grosshuesch said there are several reasons the age of 21 is being promoted. What they know now about the adolescent brain development is different than what was known years ago. The brain can become addicted to substances and those substances can permanently alter the brain chemistry. Decision making skills are better as youth move into their 20's. Grosshuesch said there are many adults addicted to tobacco products as well. Currently, there are not e-cigarette treatment programs available.

Dr. Ann-Marie Foucault, Superintendent, St. Michael-Albertville Schools, said they are addressing this in their schools as well. This year, there have been 52 e-cigarette violations with 104 school days missed. This is significant on student learning. The 52 violations include the middle school. Dr. Foucault urged Commissioners to consider the T21 Ordinance and to have further conversation. Their District partnered with Wright County earlier this year to hold a session with parents from preschool through high school. They are seeing an uptick in liquid marijuana. Staff is stationed throughout the schools, but she said that is not enough. The curriculum now includes education on this topic. They are trying to educate students, parents, and community members to be proactive versus reactive.

Borrell said that students will still be able to get substances even if it is made illegal. Potter said Rockford Middle School had three ambulance rides in less than a month. He said it was eye opening and alarming.

Kris Thompson, Assistant Principal at Buffalo-Hanover-Montrose (BHM) District, said she would echo comments made by the other school districts. Violations in BHM have risen from 33 in 2016-2017 to 83 this year. Health and Human Services has assisted with parent education, and the topic has been included in the curriculum. Court Services has coordinated discussion with other school districts to determine how to be proactive in addressing this issue. Products are marketed towards youth. She agrees with the addiction piece. Kids' brains are still developing, and they crave the sudden hit. Thompson hears the frustration from parents, and said that parents support schools being tobacco and vape free. She extended appreciation to the County Board for exploring this further.

Lew Boyku, Buffalo, questioned where the supplies are coming from. He thinks that if the T21 ordinance is enacted, youth will just get it from others. He referenced the large number of businesses that supply cigarettes and suggested trying to shut things down that way.

Vetsch extended appreciation for the comments made today and thanked staff for their work. He suggested a COTW meeting to discuss this further.

Schedule Committee Of The Whole Meeting RE: TOBACCO 21 Ordinance

Daleiden moved to table this topic to the next Board Meeting with instruction to staff to reach out to the police departments of Howard Lake, Annandale, and Buffalo on their availability to take part in the discussions. The motion was seconded by Borrell and carried 5-0.

SEAN RILEY, PLANNING & ZONING ADMINISTRATOR

1. Review Petition For An EAW For Valley Paving, Asphalt Plant (Silver Creek Twp.).

Petition Link Can Be Found At The Planning & Zoning Home Page:

<http://www.co.wright.mn.us/DocumentCenter/View/17117/Valley-Paving-Asphalt-Plant-Petition>

(The full record can be found on file at the Wright County Planning & Zoning Office.)

Riley said this topic was tabled from the last Board Meeting to provide people an opportunity to present information and comments. Vetsch said the Board will take comment from each side of the issue (10 minutes).

Brent Carron, Vice President, Valley Paving, Inc., presented key points.

- MPCA (Minnesota Pollution Control Agency) documentation is required, including daily, monthly and yearly monitoring. MPCA regulates and are diligent in monitoring facilities. Valley Paving holds the Option D Permit which limits the amount of emissions the plant can produce per year. Carron said this means the MPCA has researched, studied, and found that, in general, this is a good threshold for the asphalt plants in Minnesota. Carron stated Valley Paving's emissions are vastly less than the permit limits.
- The County has asphalt plants that have been permitted that did not require an EAW (Environmental Assessment Worksheet). These plants are in areas where there is adjacent housing to the asphalt sites. Carron submitted a general quote from their engineering firm on an EAW, and the cost will range anywhere from \$50,000-\$100,000 and the process will last 6-12 months.
- Carron said competition could be limited in the County if it is decided to require EAW's on asphalt plants. It could potentially delay projects at the time of the CUP (Conditional Use Permit) reissuance for other asphalt plants.
- Carron said the MPCA and OSHA (Occupational Safety and Health Administration) have studied this for 40 years. If there were any health concerns directly related to the asphalt plants, the MPCA would mandate an EAW on all asphalt plants. They do not mandate this, and he said that is because asphalt plants have been proven not to be a major source of pollution.
- Carron said the request is for a temporary asphalt plant, not a permanent one.

Abbey Bryduck, Executive Director of the Minnesota Asphalt Paving Association. Bryduck expressed appreciation for rigorous scrutiny near a residential area for any kind of plant. She added this is what the MPCA review process is designed to do. The MPCA is known for their rigor and because of this, she said contractors are experts in environmental compliance. She referenced the press release contained in the handout materials. There are misconceptions about what asphalt plants are and what they do. The MPCA delisted asphalt plants as a major source of pollution ten years ago. Bryduck said the main visual associated with an asphalt plant is the steam that comes from drying the aggregates. She stated an asphalt plant for one year has the same VOC (Volatile Organic Compound) emissions as thirteen residential fireplaces. Bryduck said they advocate that the County not add this duplicative step in the permitting process which adds more cost and bureaucracy without adding meaningful value to the review. She expressed concern about the precedence setting potential for other plants in the County.

Jeanne Egge, Silver Creek Township. Egge is a resident of Locke Lake. She stated the residents of Locke Lake asked her to speak on their behalf to explain the reasons why they are opposed to the installation of an asphalt plant in the Johnson Gravel Pit. There were 227 citizens that signed the petition requesting an EAW be completed.

Egge presented a PowerPoint. Highlights of the presentation follow (see Board packet for PowerPoint):

- Social Responsibility. There are 134 homes on Locke Lake or in the immediate vicinity and 75% of resident make this their home. Residents will be impacted daily by the noise, pollution and safety concerns. She said Valley Paving Asphalt owners are based out of Shakopee, MN. She referenced a comment made by Valley Paving that trucks are only covered when it is cold to protect the product. Research she completed shows covering trucks should be the last step of the process. Egge said that leads her to believe they are not protecting people or the environment.

- Health Impacts. Egge said when residents researched, they found that asphalt fumes are toxic to include pollutants such as formaldehyde, arsenic and others. New Jersey Department of Health & Human Services data reflects that asphalt fumes contain known cancer-causing agents and health impacts. The US Department of Health & Human Services has determined that these substances may be carcinogenic. In addition, there are fugitive emissions. The CDC (Center for Disease Control) indicates that poor air quality results in breathing problems and chronic health issues. In addition, sound amplifies over the water and that is considered a pollution. The World Health Organization indicates that children are especially vulnerable to noise and effects can be permanent. Egge said the four lanes of traffic and the power plant already have an impact on the community. A resident in the community previously lived next to an asphalt plant and moved due to the migraine headaches she experienced.
- Potential Risk to the Environment. Egge referenced the potential risk to well water, Locke Lake, and the Mississippi River. The proposed plant will be within 1/10th of a mile from Locke Lake and Silver Creek. The water from the Lake flows through the Creek, past the gravel pit, and into the Mississippi River. Other impacts include local wildlife and asphalt plant fires.
- Impacts to Public Safety. Egge referenced a map of the area and noted intersections with no traffic controls.
- Closing. The proposal is for a three-year plant operating six days/week with the ability to increase to seven days/week. Egge suggested other options could include locating the plant in one of the three existing asphalt plant locations. They see no benefit for the residents or community. Over 100 people showed up at the Silver Creek Township meeting where this topic was discussed, and 227 citizens signed the petition. They are requesting an EAW to understand the impacts. The lack of an EAW will set precedence for other communities.

Commissioner Vetsch then stated two minutes would be given to each side of the issue for rebuttal.

Brent Carron, Vice President, Valley Paving, Inc.

- Carron said the reason an asphalt truck is covered is to keep the material warm and has nothing to do with emissions. Because of the substance of the material, nothing blows out of the vehicle.
- The petition submitted includes 227 signatures but some of them do not live locally.
- Noise. He referenced information he presented that reflects the noise from the asphalt plant will be less than that generated from I-94.
- Carron said asphalt does not seep into the ground. It is no different than what is used on roads.
- Regarding asphalt fires, Carron said Valley Paving has operated an asphalt plant since 1985 and had no fire incidents.

Diane Schaefer, Locke Lake.

- Schaefer said covering a truck not only relates to material spill but to the odor that is emitted. If a health condition is involved, odors can cause illness.
- Traffic. She asked Commissioners to review the area for traffic control. She is concerned with the truck traffic and intersections not having controls.
- Noise. She understands the noise from the asphalt plant is less than noise from I-94. However, traffic is increasing every year and the plant will compound the issue.

Public comment at this meeting was closed.

Greg Kryzer, Assistant County Attorney, referenced a memorandum to the Board dated 5-24-19 which outlines the rules that the Board must follow when making a decision on the EAW. It relates to Minnesota Rules, Chapter 4110.1100, subpart 6, which indicates that the Rules require the RGU (Responsible Government Unit) to “order the preparation of an EAW if the evidence presented by the petitioners ... demonstrates that, because of the nature or location of the proposed project, the project may have the potential for significant environmental effects.” The memorandum includes four criteria relating to those significant environment effects. The RGU shall deny the petition if the evidence presented fails to demonstrate the project may have the potential for significant environmental effects.

Vetsch urged Commissioners to require the EAW process. It is a temporary permit request, but the plant could still be there in 15-20 years. Vetsch said that the asphalt plant adds no tax capacity and devalues surrounding land. Borrell asked whether there is a more suitable location. Vetsch stated that there is another location within a couple of miles. Borrell

stated that if the decision were held over to the June 18th Board Meeting, it would allow Commissioners to attend the site visit with the Planning Commission on June 13th.

Husom said her primary concern is the location as it relates to the Land Use Plan. Borrell said because of agricultural land, almost all gravel pits are in zoned agricultural areas. Potter clarified that mining operations are not agricultural, so a CUP is required. Riley stated that the original gravel pit dates to around 2004. An expansion was approved in the past couple of years. It operates under a CUP. The request being considered by the RGU would be a CUP request for an asphalt plant. Notice was received for up to three years for the interstate project.

Kryzer stated that the Board has 30 days to decide on whether to require an EAW, so a decision would be required by the July 2nd Board Meeting.

Borrell moved to table this item to the June 18th County Board meeting to allow County Board members an opportunity to attend the site inspection on June 13th. Because of Commissioners inability to attend the scheduled site inspection, Borrell withdrew the motion. It was discussed that Commissioners could visit the site individually. Borrell then made a motion to table the issue to the June 18th Meeting to allow Commissioners an opportunity to make a site visit as their schedule permits. The motion was seconded by Daleiden. Vetsch said if Commissioners feel the site visit will impact their decision, that is one thing; otherwise, it delays the process. A decision needs to be rendered. The motion to table carried 3-2 with Vetsch and Potter casting the nay votes.

The Board recessed at 10:22 A.M. and reconvened at 10:36 A.M.

BOB HIIVALA, AUDITOR/TREASURER

Direct Staff On How To Proceed With Repairs On County Ditch # 22. Staff Provides The Following Options:

- A. Proceed With Repairs Using The Current Engineering Profile
- B. Have An Engineer Complete A Survey And Provide A New Profile That Includes Improvements

Matt Detjen, Agricultural & Drainage Coordinator, provided an overview of the history of County Ditch 22 repairs. The Ditch was originally established in 1914. In 1945, the landowners petitioned for an improvement to widen and deepen the Ditch. The engineering profile is available but there is limited information on what repairs were done. In 1984, a second petition for improvement was presented. It involved a legal battle relating to whether the ditch was dug to the original profile. Subsequent improvements have occurred.

Detjen referenced a map of the area and pointed out factors such as the unevenness of the ditch and culverts not being set correctly. The goal is for the ditch to be as level and straight as possible. The constructed profile includes legal data reflecting on where the ditch can be dug. The issue is that it does not include the improvements made since 1984. Detjen plans to obtain a new survey with soil borings to reflect the 1985 and 1986 improvements. Detjen referenced the PowerPoint which reflects an inconsistency - the 1914 profile shows an 8' bottom to the Ditch whereas the 1945 profile shows a 6' bottom. He relayed the importance of doing the job correctly the first time to avoid legal implications.

Quotes for engineering services to determine the scope include: ISG (\$112,000); Houston Engineering (\$41,050) and Wenck (\$11,929). He estimated a total cost of about \$160,000 with the side inlets, digging, tree removal, and the redetermination of benefits. The ditch value is at \$1.5 million after the redetermination of benefits. Borrell asked whether culverts are on grade. Detjen stated that they will adjust any culverts as necessary. There are some that are private crossings.

Daleiden moved to accept the quote from Wenck for \$11,929 for engineering services on County Ditch 22. Detjen said he informed Wenck that he may not have all of the work completed as outlined in the quote, reducing the cost to about \$8,500. Kryzer said if the Board approves proceeding with the proposal, the goal would be to dig the Ditch in the fall. He said this County Ditch is the first to have gone through a redetermination of benefits and a complete and full system-wide repair. The motion was seconded by Potter. The motion was amended to include a not-to-exceed figure of \$11,929 as requested by Kryzer. The motion carried 5-0.

County Board Workshop Minutes (6-04-19)

At today's County Board Meeting, Husom moved to approve the 6-04-19 County Board Workshop Minutes. The motion was seconded by Potter and carried 5-0. The minutes follow:

I. Discuss Next Steps with Bond Counsel / Finance Advisor

Currently the Auditor/Treasurer's office is verifying signatures on the petition, and outside legal counsel, Rupp, Anderson, Squires & Waldspurger, P.A., with no financial interest, is reviewing the petition for validity.

Ehlers was asked to attend to provide additional information to the County Board as to processes and options dependent upon the validity of the petition.

Discussed the implications this may have on the Tactical Training facility, as the County is required to enter into an agreement with the FBI by mid-July. Concerns expressed that if the County does not move forward with this opportunity that future partnerships may be impacted.

If the petition is found to be valid there are three (3) options available to the County. Proceed with a referendum vote, wait one year, or look at other funding options.

Bruce Kimmel addressed other options available to the County.

- *Tax Abatement bonds, which Ehlers would not recommend.*
- *Lease Purchase Option (aka Certificates of Participation (COP)) – these can be used for both the Tactical Center and the Government Center. Issuance costs will be negligible compared to a GO bond. Lease Purchase does count toward debt, and the County has the ability to refinance with this option to save money. If the Board chooses this direction, they would recommend creating a procurement committee that would operate within set perimeters defined by the County Board to process the sale. This committee could be made up of the County Board Chair, County Administrator, County Attorney representative, and the Auditor/Treasurer.*

It was noted that if the County would have been able to proceed with selling the General Obligation bonds as originally sought, the county would have seen 1 -1.5M\$ in reduced financing costs, due to the very favorable rates that currently exist, and the current high demand for these types of bonds.

B. Kimmel indicated that he would put together some additional finance information for the next meeting.

Recommendation:

Bring forward a resolution for Certificate of Participation for the County Board to consider at the June 11, 2019 Board meeting.

*County Board Workshop Minutes Submitted By Sue Vergin, Assistant County Administrator
(End of 6-04-19 County Board Workshop Minutes)*

Discussion Regarding Status Of Capital Improvement Plan (CIP)

Kryzer said the County received an opinion from the Rupp, Anderson, Squires & Waldspurger Law Firm on 6-07-19 which determined that the petition, filed pursuant to MN Statute 373.40, does not meet the necessary legal requirements as articulated in MN Rule 8205.1010, namely subparts D and subparts H. Their conclusion is the petition is invalid and must be rejected. Because of that, staff prepared a resolution which would rescind the CIP and rescind Resolution #19-57. Kryzer read the draft resolution.

Husom said had the legal requirements been met in this petition, she would not have been prepared to move forward. Most of the public response she has received has been in favor of moving forward with the new Government Center (GC). She provided a history of the government buildings. In 1868, the County seat was moved from Monticello to Buffalo. One of the selling points was to bring government services into one building. About 10 years later, the State decided a better facility was needed for courts and that was built in 1878. An addition was added in the 1940's. The building was torn down in 1958 to construct the current GC. The Annex was added about 20 years later, and the Jail was added in 1991. She commended the prior County Board for building the Law Enforcement Center (LEC) at more than capacity.

The LEC was built ten years ago and it includes one pod that is not occupied. If the Health & Human Services staff are moved back to the GC after the Justice Center is constructed, the GC building will be at full capacity. There will also be parking issues. Husom thought the most fiscally responsible thing would be to have a centralized campus, both for citizens and for staff. The County has worked to explore all issues to figure out a long-term solution.

Borrell favors delaying the decision for a year. He said interest rates are expected to remain low. He suggested the Board do further outreach and education to attain public buy-in for the project. He did not necessarily feel the current process is productive for the County. Vetsch said he has spent an enormous amount of time over the past 1+ years in educational material and presenting to numerous venues. Vetsch said that this is the most fiscally prudent thing to do. Various financial models have been put together, and he cannot find a scenario that lends to staying in the current GC as the most fiscally responsible route. The odds are against coming out ahead by delaying the project. They have put a great deal of effort into educating the public. Borrell thinks the population recently became aware of this, and there are taxpayers that don't understand there is a Justice Center under construction.

Husom responded that the Commissioners have been at meetings with cities and a presentation was made at the Township Officers Meeting. The topic and discussion have been in the minutes, drawings, architectural drawings, etc., and the Board Meetings are live streamed. She is unsure what more the County Board can do to educate the public on this topic. Vetsch agreed and said the County has put more into this topic than any other project. Information on this topic has been run in the County newspapers. Vetsch has received very few phone calls and emails against the project, but has received many comments that the project makes sense.

Potter moved to adopt Resolution #19-72 rescinding the Capital Improvement Plan and rescinding Resolution #19-57. The motion was seconded by Husom.

The Board discussed potentially removing the fourth paragraph of the draft resolution relating to Certificate of Participation Bonds. Borrell said he has no problem with voting to rescind the CIP but is not comfortable with the language relating to the Certificate of Participation Bonds. Borrell moved to delete the fourth paragraph of the draft which reads,

“WHEREAS, the County of Wright has reviewed financing options with Ehlers and Associates, Inc. and has determined proceeding with Lease Purchase or Certificate of Participation Bonds pursuant to Minn. Stat. § 465.71 is the most fiscally prudent method for the financing and construction of the sheriff tactical center and the government center;”

The motion to remove the fourth paragraph of the draft resolution was seconded by Daleiden and carried 5-0.

The motion to adopt Resolution #19-72 as amended rescinding the Capital Improvement Plan and rescinding Resolution #19-57 carried 5-0 on a roll call vote. Resolution #19-72 follows:

**RESOLUTION RESCINDING A CAPITAL IMPROVEMENT PLAN
AND RESCINDING RESOLUTION NUMBER 19-57**

WHEREAS, the County of Wright on April 30, 2019 adopted Resolution Number 19-57 and a Capital Improvement Plan entitled “2019 through 2023 Five-Year Capital Improvement Plan for Wright County, Minnesota” (the “Capital Improvement Plan”);

WHEREAS, the County of Wright on May 29, 2019 received a petition pursuant to Minn. Stat. § 373.40;

WHEREAS, the Petition was reviewed by outside legal counsel who has concluded the Petition does not meet the requirements of Minn. Rule 8205;

NOW, THEREFORE BE IT RESOLVED BY THE WRIGHT COUNTY BOARD OF COMMISSIONERS:

1. That the County of Wright hereby rescinds the Capital Improvement Plan adopted on April 30, 2019;
2. The County of Wright hereby rescinds resolution 19-57; and

3. Pursuant to Minn. Stat. § 373.40 Subd. 2, the County of Wright hereby declares there shall not be a referendum.

(End of Resolution #19-72)

Proposed Certificates of Participation
Consideration Of Resolution #2019-A
Consideration Of Resolution #2019-B

Kryzer said staff, at the direction of the County Board from the 6-04-19 Workshop Meeting, worked with Ehlers & Associates. Presented to the Board was a packet from Ehlers dated 6-06-19 entitled "Update on Proposed Certificates of Participation (COP), Series 2019A & 2019B."

Kryzer referenced two draft resolutions presented to the County Board for consideration.

- Draft Resolution 2019A, Non-Taxable Certificate of Participation for the Government Center
- Draft Resolution 2019B, Taxable Certificate of Participation for the Tactical Training Center

Daleiden moved to adopt Resolution #19-73, a resolution authorizing the sale of taxable Certificates of Participation, Series 2019B, for the Tactical Training Center. The motion was seconded by Potter. Daleiden said it is important to proceed with this project because of the federal funding that is involved. The training facility is critically important for the Sheriff's Office and Police Departments who will use the facility. In addition, training by the FBI will be offered at a minimal cost. Husom spoke of the importance of the facility being utilized as a backup facility for dispatch, data, and the EOC (Emergency Operations Center). Currently, Sherburne County provides backup dispatch services. The motion to adopt Resolution #19-73 carried 5-0 on a roll call vote.

Potter moved to adopt Resolution #19-74, a resolution authorizing the sale of Certificates of Participation, Series 2019A, for the Government Center. The motion was seconded by Husom. Husom said she is the voice and vote of those she represents and needs to go with the majority. Vetsch said the Board cares about the taxpayers, and he viewed this as the safest and most fiscally prudent investment for now and the future. Daleiden disagreed and said that the bonding would have been the most inexpensive method in the long run. He said the County could hold off for a couple of years. Constituents in his District have voiced both opposition and support with proceeding with a new Government Center building, and it has been a very difficult decision.

Vetsch referenced the GO (General Obligation) bonds which would have offered slightly better scenarios. However, because of the current market there is not much difference. The sale of premium GO bonds versus premium COP would be a difference of approximately \$700,000 over the life of the debt service. Vetsch said refinancing could occur after 10 years. The bulk of the \$700,000 difference would be in the last 5 years, so the County could mitigate \$400,000-\$500,000 of that additional cost. Husom appreciates the ability to prepay with the COP. With bonding, the County must wait until the callable date. A report recently received indicates the payment will be less than 5% of the budget. Borrell thought the County should take a pause. He said it is doubtful that his vote will change by next year. However, he did not think those that signed the petition will be valued by moving ahead. He thought there should be more outreach. Vetsch said he cares too much for the taxpayers to make the wrong choice. Site mitigation savings alone will equate to \$300,000. Potter said the County has learned from history. In 2004, the County chose not to build the Justice Center at a cost of \$45 million. The Justice Center is now being constructed at a cost of \$100 million.

Potter asked that the question be called on approval of Resolution #19-74. The motion carried 3-2 with Daleiden and Borrell casting the nay votes.

The meeting recessed at 11:29 A.M. and reconvened at 11:36 A.M.

GREG KRYZER, ASSISTANT COUNTY ATTORNEY

Discuss Options for Amending the No Wake Ordinance

Kryzer said the No Wake Ordinance was placed on the Agenda per the request of Commissioner Borrell. He provided history of the No Wake Ordinance which started about seven years ago. At that time, a formal policy was adopted, and a procedure created for lake associations to participate. The ordinance was later amended to include additional lakes. A request has been received for additional lakes to be included.

To be part of a no-wake ordinance requires data collection for the DNR (Department of Natural Resources) by lake associations. It is a time commitment to amend the ordinance. He anticipated it will take until October-November before the ordinance amendment is presented for approval due to requirements.

Borrell had a constituent from Moose Lake contact him about this process. He said the County Board should wait until something is received from a lake association before acting. The SWCD (Soil & Water Conservation District) went to the location and this lake is surrounded by cattails so no erosion is occurring. Husom said two lakes that contacted her have been provided with the process to follow.

Capt. Todd Hoffman, Sheriff's Office, said zero (or close to zero) high water ordinance citations have been written. This type of ordinance is problematic to enforce, especially with the requirements of setting the official high-water level. Statute can be utilized if someone is an irresponsible boater causing soil erosion. If the County Board wants to readdress this topic, he asked that they have a measured expectation of what the Sheriff's Office can do. He suggested continued education through notices at ramps. Hoffman stated the DNR will not investigate incidences under the County ordinances.

After further discussion, Potter made a motion to take no action at this time. The motion was seconded by Daleiden and carried 5-0.

ITEMS FOR CONSIDERATION

SCHEDULE COMMITTEE OF THE WHOLE MEETING, CLOSED SESSION, RE: HEALTH INSURANCE RENEWALS – SUGGESTED DATE 8-06-19 @ 10:30 A.M.

The item was tabled to the next County Board Meeting as not all Board members are available on the proposed date.

RESCHEDULE 6-11-19 COUNTY BOARD WORKSHOP

Husom moved to cancel the 6-11-19 County Board Workshop. The topic will be referred to the 7-09-19 Workshop. The motion was seconded by Daleiden and carried 5-0.

ADVISORY COMMITTEE/ADVISORY BOARD UPDATES

1. Husom said the Sheriff's Office Open House was a success with many attending.
2. District V Meeting. Daleiden said it was reported at the meeting that the White House will be inviting Board members to visit. Minnesota's date is anticipated to be around August 20th. Also discussed at the District V Meeting was the amount of people retiring in the 2020's and County State Aid increases. Wright County's State Aid will be \$972,280; Sherburne's \$963,157, and Stearns \$2,001,000. Daleiden understands the formula is based on 50% population and 50% need. However, he was unable to confirm why Stearns County's state aid was so high in comparison. This is something that needs to be discussed with legislators.

The meeting was adjourned at 11:52 A.M.